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June 22, 2023

**Via ECF and Email (Failla NYSDChambers@nysd.uscourts.gov)**

Hon. Katherine Polk Failla  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

**MEMO ENDORSED**

**Re: *Consumer Financial Protection Bureau, et al v. MoneyGram International, Inc., et al,*  
No. 22-cv-03256-KPF – Letter Motion to Redact**

Dear Judge Failla:

Defendants MoneyGram International, Inc. and MoneyGram Payment Systems, Inc. (collectively “MoneyGram” or the “Company”) intend to file their opposition in response to the letter-motion seeking leave to serve document preservation subpoenas (ECF No. 62), filed by the Consumer Financial Protection Bureau (the “CFPB” or “Bureau”) and the Office of the New York State Attorney General (“NYAG”) (collectively “Plaintiffs”). MoneyGram respectfully requests permission to redact the names of certain third parties and information concerning their relationship and services they provided to the Company in their forthcoming response.

The proposed redactions appear in MoneyGram’s opposition letter, the Declaration of Ephraim Wernick (“Wernick Declaration”), and Exhibit 1 to the Wernick Declaration. Pursuant to paragraph 9.B.i of this Court’s Individual Rules of Practice in Civil Cases, unredacted versions of the documents will be filed under seal.

As noted in Plaintiffs’ motion to seal, the redacted company names and information are derived from (a) information requested and produced during the Bureau’s investigation (investigative documents), and (b) documents that MoneyGram produced to the Bureau during the Bureau’s confidential supervisory process (exam documents). (ECF No. 60 at 1-2.) Certain information also comes from MoneyGram’s knowledge of its business activities with certain counterparties. MoneyGram has designated the investigative documents submitted to the Bureau as containing trade secrets. Because these documents are thus deemed “confidential investigative information,” 12 C.F.R. § 1070.2(h), federal regulations allow Defendants an opportunity to “seek an appropriate order prior to disclosure” of these documents. *See id.* § 1070.45(a)(4) (relating to material containing “any trade secret or privileged or confidential commercial or financial information.”). Additionally, exam documents produced to the Bureau are deemed “confidential supervisory information,” *id.* § 1070.2(i), and 12 C.F.R. § 1070.45(a)(4) affords Defendants the opportunity to seek a protective order for such materials. Where MoneyGram identifies and discusses

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the relevant entities and their contractual relationships with MoneyGram, the foregoing confidentiality protections should remain in place. The redacted information may also contain information about third parties that was derived from terms of service and contracts that contain confidentiality clauses.

For these reasons, MoneyGram respectfully requests that this Court allow the Company to redact entity names and related information contained in its letter and supporting documents in response to Plaintiffs' Motion.

Respectfully Submitted,

/s/ Ephraim Wernick

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and MoneyGram Payment Systems, Inc.*

Application GRANTED.

The Clerk of Court is directed to terminate the pending motion at docket entry 64.

Dated: June 23, 2023  
New York, New York

SO ORDERED.

A handwritten signature in blue ink that reads 'Katherine Polk Failla'.

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE